

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Tomio Amano
Serial No. : 09/965,772 Examiner : Rachna Singh
Filed : September 27, 2001 Art Unit : 2176
For : APPLICATION DATA ERROR CORRECTION SUPPORT
October 17, 2008

**NOTICE OF APPEAL FROM EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

HON. COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed July 17, 2008, finally rejecting claims 1, 2, 4-11 and 20-24.

The items checked below are appropriate:

1.

Extension of Time

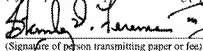
- ☒ No extension of time is needed.
- ☐ Applicant requests an extension of time to respond to the outstanding Office Action. A Petition for an extension of time is enclosed.
- ☐ Applicant has previously requested an extension of time to respond to the outstanding Office Action.
- ☒ In the event that an extension of time is required, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence and any documents referred to as enclosed therewith are being filed with the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, by EFS Web on October 17, 2008.

Stanley D. Erence III

(Type or print name of person transmitting paper or fee)


(Signature of person transmitting paper or fee)

2. Status of Applicant

This application is on behalf of

- ☐ Small entity
☒ Other than a small entity

3. Fee for Filing Notice of Appeal

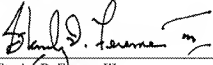
Pursuant to 37 CFR 41.20(b)(1), the fee for this Notice of Appeal is

- ☐ Small entity \$ ____
☒ Other than a small entity \$510.00

- ☒ The Commissioner is hereby authorized to charge the \$510.00 fee required under 37 CFR 41.20(b)(1) to Deposit Account No. 50-0510.
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510.

Respectfully submitted,

FERENCE & ASSOCIATES LLC

By 
Stanley D. Ference III
Reg. No. 33,879

Dated: October 17, 2008

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